

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

UNITED STATES OF AMERICA,

CR 20-10030

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

ANTHONY DIALO HOLMES,

Defendant.

The Defendant states that the following facts are true, and the parties agree that they establish a factual basis for the offense to which the Defendant is pleading guilty pursuant to Fed. R. Crim. P. 11(b)(3):

My name is Anthony Dialo Holmes. Between September 1, 2019, and May 22, 2020, while in Clark, South Dakota, I used my Kik Messenger social media account to send and receive files depicting one or more minors engaged in sexually explicit conduct. I knew the files contained child pornography, as that term is defined in 18 U.S.C. § 2256(8).

I admit to knowingly receiving and distributing files containing child pornography using my cell phone and the internet and, therefore, interstate commerce.

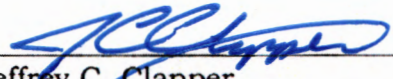
All of my actions were in violation of 18 U.S.C. §§ 2252A(a)(2)(A) and 2252A(b)(1).

I further stipulate and agree that the following property was used or intended to be used in the commission of the offense described above:

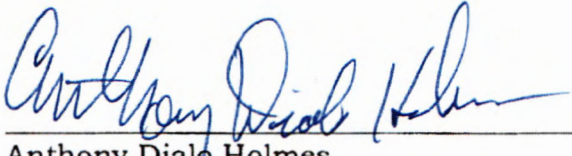
1. Apple iPhone 7 with IMEI # 355322089848583; and
2. Apple iPhone 7 with IMEI # 354913095574584.

DENNIS R. HOLMES
Acting United States Attorney

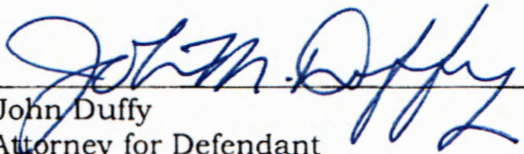
June 24, 2021
Date


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6/24/2021
Date


Anthony Dialo Holmes
Defendant

6/24/2021
Date


John Duffy
Attorney for Defendant